

ReConnect Program: National Historic Preservation Act Section 106 Environmental Questionnaire

Applicant Name: _____

Application Number: _____

The National Historic Preservation Act Section 106 Environmental Questionnaire (NHPA Section 106 EQ) is intended to capture the appropriate information for each proposed site and route included in the application as well as the overall project in the Proposed Funded Service Area. This information will be used in conjunction with each Site and Route EQ to determine the overall compliance of the proposed project with the NHPA Section 106 requirements. The Rural Utilities Service (RUS) will use this information and either complete the NHPA Section 106 portion of the environmental review process or determine the appropriate level of additional impact analyses needed, in accordance with [7 CFR 1970-Environmental Policies and Procedures](#). The RUS will notify applicants if additional information is necessary beyond what was submitted in the EQs.

An applicant may submit to the RUS a copy of any environmental review document that has been prepared in connection with obtaining permits, approvals, or other financing for the proposed project from state, local or other federal agencies. Such material, to the extent determined to be relevant, may be used to fulfill the RUS environmental review requirements. Be advised, once an applicant initiates the NHPA Section 106 process with the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (THPO), or other interested parties, the applicant must complete the process even if the RUS determines the type of construction activity has “No potential to cause effects”.

The NHPA Section 106 EQ requirement is determined by the applicant’s responses to each of the Site Route Description questions. For example, if the applicant answers ‘Yes’ to the question, “Is this site on Tribal Land(s)?”, the NHPA Section 106 EQ must be uploaded as part of the application. If the NHPA Section 106 EQ becomes a required upload, the applicant will also see the following message, ‘This application requires completion of the Section 106 Environmental Questionnaire’.

The NHPA Section 106 EQ consists of two sections: Nationwide Programmatic Agreement and Section 106 Questions. If the applicant requests to apply the “Nationwide Programmatic Agreement”, the applicant is not required to complete the “Section 106 Questions” section prior to submitting the application. If the applicant does not request to apply the “Nationwide Programmatic Agreement”, the “Section 106 Questions” must be completed.

Nationwide Programmatic Agreement

Designed to be used by all Rural Development programs, the *Nationwide Programmatic Agreement among the U.S. Department of Agriculture Rural Development Programs, National Conference of State Historic Preservation Officers, Tribal Signatories, and The Advisory Council on Historic Preservation (ACHP) for Sequencing Section 106 (NPA)* allows RD to obligate funds so our rural applicants (including tribes) are assured they can accept the expense of Section 106 prior to its completion. This will better align with the timing of obligation and completion of the program's Section 106 review, which does not synchronize with the normal four step Section 106 process as set forth in [36 CFR Parts 800.3 through 800.7](#).

1) Would the applicant like the Agency to apply the NPA to the proposed project?

NO Complete the Section 106 Questions.

YES Complete the [Subpart H NPA Applicant Awareness Certification](#) and upload it to the Environmental Documents section of this application. The remaining section of the NHPA Section 106 EQ is not required to be completed prior to submitting the application to the RUS for consideration. It is up to the applicant to align the completion of the program's NHPA Section 106 review with the timing of obligation, if approved.

Section 106 Questions

- 1) **SHPO Initiation.** Complete *the Rural Development Borrower Initiate Consultation with the SHPO Template* ([RD 1970 Subpart H Exhibit H Attachment H-1](#)) and provide it with the supporting materials to the appropriate SHPO(s)¹.

Has the consultation with the SHPO been initiated?

NO Applicants must initiate consultation with the SHPO before an application can be submitted.

YES Upload the letter that was sent to the SHPO and any subsequent correspondence to the Environmental Documents section of this application. Go to Question 2.

- 2) **Tribal Notification:** Use the [Tribal Directory Assessment Tool \(TDAT\)](#) to identify Tribe(s) that have an interest in the project area. Complete the *Rural Development Applicant Tribal Notification Letter* ([RD 1970 Subpart H Exhibit H Attachment H-4](#)) and provide it with the supporting materials to the appropriate THPO or Official Tribal Designee (OTD) as listed in TDAT.

Has the applicant notified interested Tribe(s)?

NO Applicants must notify all interested Tribe(s) before an application can be submitted.

YES Upload the letter(s) that were sent to the Tribe(s) and any subsequent correspondence to the Environmental Documents section of this application. Go to Question 3.

- 3) **Identify Historic Properties:** Review existing information on historic properties within the Area of Potential Effects (APE)². As part of this review, consider information or requests resulting from the notification letters sent to the SHPO and Tribe(s). Include properties that are at least 50 years old but have not been evaluated for eligibility. Sources for this information may include databases maintained by the SHPO, literature searches, and cultural resource surveys.

¹ Click [HERE](#) to access the directory of the National Conference of State Historic Preservation Officers (NCSHPO).

² APE is defined as the area in which eligible properties may be directly or indirectly affected by the proposed project.

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The applicant is encouraged to consult a Cultural Resources contractor to conduct identification efforts, including cultural resources surveys, and provide professional and technical advice and recommendations on the identification of and effects to historic properties. If the applicant chooses to consult a Cultural Resources contractor, the contractor must meet the Secretary of the Interior's [Professional Qualification Standards](#) used by the National Park Service.

Have historic properties been identified within the APE?

- NO Complete the *Rural Development Borrower SHPO/THPO Finding Letter* ([RD 1970 Subpart H Exhibit H Attachment H-2](#)) and provide it to the SHPO and Tribe(s) that responded to the letters. Provide a recommended finding of “**no historic properties affected**,” and include the studies or data used to make this determination as an attachment to the letter. Upload the letter and any attachments to the letter to the Environmental Documents section of this application. Go to Question 5.
- YES Go to Question 4.

4) **Adverse Effect:** An adverse effect occurs when a project may directly or indirectly diminish the integrity of an historic property by altering any of the characteristics that qualify that property for National Register inclusion. Specifically, if the project diminishes the integrity of a property's location, design, setting, materials, workmanship, feeling, and association, then there is an adverse effect. Examples of adverse effects include:

- Physical destruction or damage;
- Alteration inconsistent with the [Secretary of the Interior's Standards for the Treatment of Historic Properties](#);
- Relocation of the property;
- Change in the character of the property's use or setting;
- Introduction of incompatible visual, atmospheric, or audible elements;
- Neglect and deterioration; and
- Transfer, lease, or sale out of federal control without adequate preservation restrictions.

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Are adverse effects to historic properties expected?

NO Complete the *Rural Development Borrower SHPO/THPO Finding Letter* ([RD 1970 Subpart H Exhibit H Attachment H-2](#)) and provide it to the SHPO and Tribe(s) that responded to the letters. Provide a recommended finding of “**no adverse effect**,” and include the studies or data used to make this determination as an attachment to the letter. Upload the letter and any attachments to the letter to the Environmental Documents section of this application. Go to Question 5.

YES Agency intervention required. Additional information may be requested by the Agency at the time the application is reviewed. Responses to the Section 106 Questions are complete.

5) **SHPO/THPO Response Period:** If the applicant recommended a finding of “no adverse effect” or “no historic properties affected”, has a response from the SHPO been received?

NO Go to Question 6.

YES Upload the SHPO response to the Environmental Documents section of this application. Responses to the Section 106 Questions are complete.

6) **SHPO / THPO Response:** If no response has been received, has the 30-day response period elapsed?

NO Identify when the 30-day response period will elapse: _____.

YES Responses to the Section 106 Questions are complete.